

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2013051138

ORDER OF DISMISSAL

On September 20, 2013, Administrative Law Judge Elsa H. Jones (ALJ Jones) of the Office of Administrative Hearings (OAH), issued an Order to Show Cause Re: Dismissal (OSC), based upon Student's apparent failure to participate in, prosecute, or advance the above-captioned matter. Specifically, on September 20, 2013, Student failed to participate in a duly scheduled prehearing conference (PHC) in this matter, despite ALJ Jones's multiple attempts to obtain Student's participation. In addition, Student failed to file a PHC Statement, and failed to respond to a motion filed by the District to continue the due process hearing. Therefore, ALJ Jones set a telephonic hearing on the OSC for September 27, 2013, at 10:00 a.m.

On September 27, 2013, ALJ Jones convened the OSC hearing. Angela Gordon, Attorney at Law, of Fagen Friedman and Fulfrost, LLP, appeared on behalf of the Los Angeles Unified School District (District). ALJ Jones attempted to obtain Student's participation in the hearing by calling Parent at both telephone numbers that Parent had provided to OAH at the time Parent filed the due process hearing request (Complaint) in this matter. Parent did not answer the calls. Rather, at both numbers the calls were answered by voicemail. The ALJ left a message on the voicemail at each number, requesting that Parent call OAH to participate in the OSC hearing. Parent did not call OAH at any time during the OSC hearing or thereafter.

Parent has failed to participate in, advance, and prosecute this matter. This matter is dismissed without prejudice. All dates are vacated. The matter is closed.

Dated: October 4, 2013

/s/

ELSA H. JONES
Administrative Law Judge
Office of Administrative Hearings